



California Fair Political Practices Commission

September 6, 1988

David C. Besbris
U.S.A.F., Retired
1130 - 2nd Street
Manhattan Beach, CA 90266

Re: Our File No. I-88-342

Dear Colonel Besbris:

We have received the copy of the public records request you sent to David J. Thompson, City Manager of Manhattan Beach. We are unable to advise you concerning your request.

The authority of the Fair Political Practices Commission is limited to administration and enforcement of the Political Reform Act. (Government Code Sections 81000-81015.) The Commission has no authority to administer or enforce the California Public Records Act. (Government Code Section 6250, et seq.) Questions about compliance with the Public Records Act should be addressed to the office of your district attorney or the Attorney General.

Sincerely,

Diane M. Griffiths
General Counsel

Kathryn E. Donovan

By: Kathryn E. Donovan
Counsel, Legal Division

DMG:KED:plh

RECEIVED
CITY CLERK'S OFFICE

'88 AUG 23 AM 8 08

1130 2nd St.
Manhattan Beach, CA 90266
(213) 379-3277

22 August 1988

AUG 30 8 21 AM '88

Mr. David J. Thompson, City Manager
City of Manhattan Beach, CA 90266
1400 Highland Ave.
Manhattan Beach, CA 90266

Subject 1: "Section 6253 -- Public Records open to inspection;
Time; Guidelines and Regulations Governing Procedure."

Subject 2 "Section 6257 -- Request for copy; prompt
Availability; Fee, Reasonably Segregable Portion
after deletion exempt portions."

A. Request a copy of current "Water Contract"

B. The Manhattan Beach (M.B.)/Western Waste Inc. contract
signed on 6 September 1983 included the following:

" 1 Residential service -- Monthly services fee where
refuse is collected once per week.

(1) Single-Family dwellings - unit price bid including
the M. B. Administrative charge/tax of \$1.50 ... \$5.95 per
month per family unit.

This M.B. Administrative charge/tax amounts to a 33.7%
increase over the base price of \$4.45

(2) "Two-Family dwellings --Units -- Unit price bid shall
include the Administrative charge of \$3.00 -- \$11.00 per two-family
units"

This M. B. Administrative charge of ^{tax}\$3.00 amounts to a
37.5% increase over the base price of \$8.00

B-1 Request the following:

(1) copy(s) of notices sent to all residences of M.B. for
the 1983 and the 1988 regarding the large percentage increases
to the refuse pickup.

(2) Letter detailing the legality, rationale and justification
for the large tax increase for refuse pickup--Sept. 1983

(3) Copies of vouchers submitted by Western Waste Inc. to M.B. from September 1985 thru September 1986

(4) Copies of payment vouchers from M.B. to Western Waste Inc. from September 1985 thru September 1986

(5) Copy of the latest "Manhattan Beach Municipal Code" Chapter 2. Garbage and Refuse Section 5-2.01 - 5-2.08 etc.

C. The Manhattan Beach/ Western Waste Inc. contract signed on 17 May 1988 by M. B. is as follows:

"(2) The following monthly service fees are established for residences where refuse shall be collected once per week"

Single family dwellings	\$ 8.27
Two-Family dwelling units	\$15.68

(1) Single family dwelling unit price bid includes the M.B. Administrative charge/tax of \$1.92 per unit

This Administrative cost/tax amounts to an increase of 30.2% over the base price of \$6.35

(2) Two-family dwelling units price of \$15.68 includes M.B. Administrative costs/tax

Request the following:

C-1 (1) A letter detailing the legality, rationale and justification for 17 May 1988 contract, including a breakout of the base and administrative charge/tax of two-family dwelling units.

(2) Copies of vouchers submitted by Western Waste Inc to M.B. from May 1988 thru to and including July, 1988

(3) Copies of payment voucher from M.B. to Western Waste Inc. from May 1988 thru to and Including July 1988

. Proposition 13 Provisions: Local Government---

'Local agencies are authorized to impose "special taxes", which are defined only as taxes other than property taxes or property transfer taxes, if approved by a 2/3 vote of the qualified voters.'

Please advise when I may pick up the above requested documents.

Sincerely,

David C Besbris
David C. Besbris
Col. USAF Ret.